

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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KEVIN R. RUSSELL,  
Plaintiff,

v.

ORDER  
01-CV-752A

VERIZON COMMUNICATIONS, INC.,

Defendant.

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The above-referenced case was referred to Magistrate Judge Marian W. Payson, pursuant to 28 U.S.C. § 636(b)(1)(B). On Januaryh 30, 2007, Magistrate Judge Payson filed a Report and Recommendation, recommending that Verizon Communications, Inc.'s motion for summary judgement be granted.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Payson's Report and Recommendation, Verizon Communications, Inc.'s motion for summary judgment is granted.

The Clerk of Court shall take all steps necessary to close the case.

SO ORDERED.

s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA  
CHIEF JUDGE  
UNITED STATES DISTRICT COURT

DATED: February 20, 2007